

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TERRENCE J. HANCOCK, *et al.*,)
)
Plaintiffs,) CIVIL ACTION
)
vs.) NO. 21 C 1726
)
CDR TRANSPORTS, INC.,) JUDGE FRANKLIN U. VALDERRAMA
an Illinois corporation,)
)
Defendant.)

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by their attorneys, and pursuant to Federal Rule of Civil Procedure Rule 55(b)(2), move for entry of judgment against CDR TRANSPORTS, INC., an Illinois corporation, Defendant herein, said Defendant having failed to answer or otherwise plead to the Complaint, and the default of said Defendant having been entered on June 10, 2021 [Dkt. 8], in the total amount of \$11,723.95, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$2,068.25.

1. On April 17, 2021, the Summons and Complaint was served on the Defendant by tendering a copy of said documents to Ronald A. Lagos, its Registered Agent/President, personally, at his place of business. Therefore, Defendant's answer was due by May 10, 2021.

2. On June 9, 2021, Plaintiffs filed a motion for entry of default [Dkt. 6] pursuant to F.R.C.P. 55(a). On June 10, 2021, the Court granted Plaintiffs' motion and entered default against Defendant and granted Plaintiffs leave to file a motion for default judgment with prove-up with proper notice [Dkt. 8].

3. Defendant submitted its monthly fringe benefit contribution reports for the time period September 2020, October 2020 and December 2020 through February 2021. These reports indicate Defendant is delinquent in contributions to the Funds in the amount of \$6,193.59 for the months of September and October 2020. The reports submitted for December 2020 through February 2021 indicate no hours were worked for the stated months. (See Affidavit of Richard J. Clarson).

4. Additionally, the amount of \$1,238.72 is due for twenty (20%) liquidated damages for September and October 2020. (Clarson Aff. Par. 4).

5. The amount of \$218.87 is due for interest calculated at one (1%) per month, compounded monthly for the months of September and October 2020. (Clarson Aff. Par. 5).

6. Defendant failed to submit its monthly fringe benefit contribution reports for the month of November 2020. Accordingly, Plaintiffs have estimated the contributions due for that month to be \$3,338.07, plus \$667.61 for liquidated damages and \$67.09 for interest, for a total of \$4,072.77, based upon the number of hours worked for September and October 2020. (Clarson Aff. Par. 3(d)).

7. Plaintiffs' firm has expended \$487.00 for costs and \$1,581.25 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

8. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$13,792.20.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$13,792.20.

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 8th day of September 2021:

Mr. Ronald A. Lagos, Registered Agent/President
CDR Transports, Inc.
2712 Highland Avenue
Berwyn, IL 60402-2718

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
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